



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,028	12/16/1999	RAHUL BHIDE	NEPTUNET-2	8380

28581 7590 03/08/2004

DUANE MORRIS LLP
100 COLLEGE ROAD WEST, SUITE 100
PRINCETON, NJ 08540-6604

EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 03/08/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

DAI

Office Action Summary

Application N .

09/465,028

Applicant(s)

BHIDE ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 13-16 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 13-16 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 12/29/03 to the application filed on 12/16/99.
2. Claims 1-10, 12, 17-19 are canceled.
3. Claims 11, 13-16, 20 are pending in the case. Claims 11 and 16 are independent claims.
4. The objections of claims 5-6, 12, 19 have been withdrawn in view of the cancellation of claims 1-10, 12, 17-19.
5. The objection of claim 20 has been withdrawn in view of the amendment of claim 20.
6. The rejections of claims 1-10, 17-19 under 35 U.S.C. 103(a) as being unpatentable over Fields have been withdrawn in view of the cancellation of claims 1-10, 17-19.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 11, 13-16, 20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (6,605,120 B1, 8/12/03, filed 12/10/98).

Regarding independent claim 11, Fields discloses:

- recording a sequence of actions operable to electronically navigate to a target page of said electronic document (figure 5A, #401- #415 and col 2, lines 43-46: a sequence of actions is recorded for extracting data from an electronic document *where extracting data* includes the process of navigating the target page to look for data to be extracted and *where said document* is considered as a target page for extracting data; figure 5B and col 7, line 65 to col 8, line 10: recording actions of visiting the target page for extracting data)
- identifying a target pattern for a selected subset of said plurality of elements (abstract; col 3, lines 9-21: identify a header pattern for a selected subset of said plurality of elements)
- automatically identifying and copying select ones of said plurality of elements and said structural definitions of said select ones of said plurality of elements dependent upon said target pattern (col 3, lines 1-39 and col 13, lines 33-53:

identify selected content elements, extract the desired elements, and send the recast web page with said desired elements to the client where sending the recast web page to client suggests copying the selected elements with requested header pattern included in the recast web page for later use) wherein:

- in the first mode, said target pattern is dependent upon said interrelation of said structural definitions for said selected subset (col 3, lines 1-39: the varied header can be used to retrieve multiple versions of the same web page and reformat the web page of selected elements; it was obvious that reformatting the selected elements to be a new web page relates to changing the interrelation of the tags, which reflect the document structure, in said selected subset)
- in the second mode, said target pattern is dependent upon content of said selected subset (col 5, lines 13-26: parsing the tags such as title or banner of the documents for selecting desired contents of a web page where said desired elements are the selected subset of elements of the web page)
- in the third mode, said target pattern is dependent upon said structural definitions and content of said selected subset (col 7, lines 16-26 and col 9, lines 45-67: the fact that elements in the recast web page can be removed, reformatted or relocated where these modifications relate to changing the order of the element tags; this inherently shows the dependency of the tags and the content as well as the structure of the selected subset)

Fields does not explicitly disclose automatically accessing said target page according to said recorded sequence. Instead, Fields does disclose accessing a target page (figures

Art Unit: 2178

5A, 5B: accessing a new page where the page to be filtered is considered as a target page for filtering purpose).

It would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Fields to include automatically accessing said target page according to said recorded sequence since Fields does teach recording the action sequence of navigating a web page and accessing a target page thus suggesting to use the recorded action sequence for subsequent access without the need of user intervention. In other word, the subsequent access can be done automatically.

Regarding claims 13 and 14, which are dependent on claims 11 and 13 respectively, Fields discloses that said actions include user interactions with a plurality of electronic documents being web pages (figures 3A-4B: the website including a plurality of web pages has buttons for user interactions).

Regarding claim 15, which is dependent on claim 11, Fields discloses that said actions include activating HTML links and electronically filling and submitting forms (figures 3B, 4B: activating hyperlink "Click here"; figure 6A: filling and submitting forms on-line).

Claim 16 is for a computerized system of method claim 11, and is rejected under the same rationale.

Regarding claim 20, which is dependent on claim 16, Fields further discloses a system for:

- automatically altering said sequence actions according to a predetermined criteria (figure 6A and col 10, lines 1-26: check box 523 for choosing whether to keep an action based on a predetermined criteria such as logo or banner to change the action sequence)
- automatically accessing other web pages according to said altered sequence (figure 6A and col 10, lines 1-26: checking boxes to show whether to keep some element of the web page suggests accessing web pages following such a selection of actions)
- automatically altering said pattern according to the predetermined criteria (figure 6A and col 10, lines 1-28: as mentioned above, the action sequence is changed thus the sequence of tags is changed according to the criteria)

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2178

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shelton et al. (US Pat No. 6,418,471 B1, 7/9/02, filed 9/11/98).

Gibson (US Pat No. 6,313,854 B1, 11/6/01, filed 10/16/98).

Rheaume (US Pat No. 6,247,018 B1, 6/12/01, filed 4/16/98).

Olson-Williams et al. (US Pat No. 6,185,588 B1, 2/6/01, filed 12/31/96).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Clh
3/3/04


STEPHEN S. HONG
PRIMARY EXAMINER